

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE APPLICATION OF
PENNLIVE, YORK DAILY
RECORD, AND YORK DISPATCH
TO UNSEAL COURT RECORDS**

Misc. Action No. 1:22-mc-00756
Hon. Susan E. Schwab

NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to Local Rule 7.36, Applicants PennLive, York Daily Record, and York Dispatch (“Applicants”) write to notify this Court of the U.S. Court of Appeals for the D.C. Circuit’s recent order in *In re Sealed Case*, No. 23-3001 (D.C. Cir. Nov. 29, 2023), which made public judicial records relevant to this case. See Kyle Cheney, *Court Filing Reveals Rep. Scott Perry’s Vast Web of Contacts in Bid to Reverse 2020 Election*, POLITICO (Nov. 29, 2023), <https://bit.ly/3sNegrn>. The D.C. Circuit’s order is attached hereto for the convenience of this Court.

Dated: November 30, 2023

Respectfully submitted,

s/ Katie Townsend

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EXHIBIT A

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-3001

September Term, 2023

1:22-sc-02144-BAH

Filed On: November 29, 2023

In re: Sealed Case,

BEFORE: Henderson, Katsas, and Rao, Circuit Judges

ORDER

Upon consideration of the motion filed by the Reporters Committee for Freedom of the Press to unseal judicial records, the responses thereto, and the reply; the court's September 5, 2023 order, denying the motion to unseal judicial records with respect to the *ex parte* supplement to appellant's brief, otherwise deferring consideration of the motion, and ordering the parties to show cause why the remaining sealed portions of the record in this case should not be unsealed; and the parties' joint response filed October 6, 2023, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the motion to unseal judicial records be granted in part and denied in part. It is

FURTHER ORDERED that appellant's *ex parte* supplement to the motion to stay, filed January 5, 2023, appellant's *ex parte* supplement to appellant's brief, filed February 6, 2023, and the parties' joint response to the order to show cause, filed October 6, 2023, remain under seal. It is

FURTHER ORDERED that the following records, [REDACTED]

[REDACTED], be unsealed in part:

1. Exhibits 1 and 2 to motion for a stay pending appeal, filed by appellant on January 5, 2023 [No. 1980240];
2. Response in opposition to motion to stay case, filed by appellee on January 9, 2023 [No. 1980731];
3. Response in opposition to motion to unseal, filed by appellee on January 27, 2023 [No. 1983596];
4. Reply to response, filed by appellant on January 27, 2023 [No. 1983646];
5. Motion for leave to file surreply, filed by appellee on January 27, 2023 [No. 1983653];
6. Surreply, lodged by appellee on January 27, 2023 [No. 1983655];
7. Letter, filed by appellee on January 30, 2023 [No. 1984170];
8. Letter, filed by appellee on February 1, 2023 [No. 1984149];
9. Appellant Brief, filed on February 6, 2023 [No. 1984738];
10. Joint Appendix ("JA"), filed by appellant on February 6, 2023 [No. 1984749];

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11. Supplement to response regarding motion to unseal, filed by appellee on February 10, 2023 [No. 1985554];
12. Appellee Brief, filed on February 16, 2023 [No. 1986276]; and
13. Notice of a decision by the U.S. District Court, filed by appellee on February 27, 2023 [No. 1987855].

It is

FURTHER ORDERED that, within 15 days of the date of this order, the parties jointly file a response to this order on the public docket with redacted versions of the above-listed records attached. The records should be redacted as follows:

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

The Clerk is directed to maintain the sealed, unredacted versions of these records under seal. It is

FURTHER ORDERED that the transcript and audio recording of the sealed portion of oral argument be unsealed. The Clerk is directed to make the audio recording of the sealed oral argument publicly available on the court's website. It is

FURTHER ORDERED that the remaining sealed records in this case, excepting order, be unsealed in their entirety. The Clerk is directed to docket the unsealed records on the public docket. The Clerk is further directed to docket a redacted version of this order on the public docket.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk